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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,931	08/27/2003	Jeffrey T. Remillard	FLD 0109 PUS	1930
36014	7590	10/01/2004	EXAMINER	
JOHN A. ARTZ ARTZ & ARTZ, P.C. 28333 TELEGRAPH ROAD, SUITE 250 SOUTHFIELD, MI 48034			ZANELLI, MICHAEL J	
		ART UNIT		PAPER NUMBER
		3661		

DATE MAILED: 10/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.	10/604,931	Applicant(s)	REMILLARD ET AL.
Examiner	Michael J. Zanelli	Art Unit	3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1) Responsive to communication(s) filed on 27 August 2003.  
2a) This action is FINAL.                    2b) This action is non-final.  
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

4) Claim(s) 1-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) Claim(s) 19 is/are allowed.  
6) Claim(s) 1,9,17,18 and 20 is/are rejected.  
7) Claim(s) 2-8 and 10-16 is/are objected to.  
8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9) The specification is objected to by the Examiner.  
10) The drawing(s) filed on 27 August 2003 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:  
1. Certified copies of the priority documents have been received.  
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

1) Notice of References Cited (PTO-892)  
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) Notice of Informal Patent Application (PTO-152)  
6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

1. The application filed 8/27/03 has been examined. Claims 1-20 are pending.
2. The disclosure is objected to because of the following informalities: In paragraph [0034] the application number provided does not match the title found in Office records. Appropriate correction is required.
3. Claims 9, 17 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
  - A. As per claim 9, "said headlamp sensor" and "said headlamp signal" lack antecedence. Note this subject matter is introduced in claim 8.
  - B. As per claim 17, the claim is unclear which receiver is being referred to at line 4 (see claim 1, line 3 and claim 17, line 3). The examiner suggests using "first" or "second" to clearly identify the receiver.
  - C. As per claim 18, "said transmitter" lacks antecedence. Note this subject matter is introduced in claim 17.
4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –  
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
5. Claims 1 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Schofield et al. (2002/0003571).

A. As per claims 1 and 20, Schofield discloses a vehicle vision system in which an illumination source and receiver for generating an image signal are activated when the vehicle's transmission is placed in reverse mode [0390]. Fig. 10 shows the "basic" system capable of performing the above functions, although the illuminating source and transmission sensor are not explicitly shown. These elements would have been required to be connected to the control (112) in order to perform the functions described in paragraph [0390].

6. Claims 2-19 are distinguishable over the prior art. The prior art of record does not show or reasonably suggest, in combination with the other claimed subject matter, a vision system for a vehicle which includes:

- enabling activation of the light source and receiver when vehicle is in forward mode (clm 2) or disabling activation of the light source and receiver when vehicle is in reverse, neutral and park mode (clm 3).
- vehicle speed sensor and enabling light source in response thereto (clms 4-7).
- headlamp sensor (clms 8,9).
- exterior illumination sensor (clms 10,11).
- thermal sensor (clms 12-14).
- thermal heater (clms 15,16,18).
- transmitter/second receiver (clm 17)
- combination of above sensors (clm 19).

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited documents are of general interest.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Zanelli whose telephone number is (703) 305-9756. The examiner can normally be reached on Monday-Thursday 5:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on (703) 305-8233. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/mjz



MICHAEL J. ZANELLI  
PRIMARY EXAMINER